

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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ELECTRONICALLY FILED
DOC #:
DATE FILED: 4/16/24

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:
UNITED STATES OF AMERICA

- v. -

SHAKEEB AHMED,

Defendant.
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STIPULATION AND ORDER

S1 23 Cr. 340 (VM)

WHEREAS, on or about January 8, 2024, the Court entered a Consent Preliminary Order of Forfeiture as to Specific Property and Substitute Assets/Money Judgment (the “Order of Forfeiture”) (D.E. 34) forfeiting, *inter alia*, all right, title, and interest of defendant, SHAKEEB AHMED (the “Defendant”) in the following cryptocurrencies:

- a. approximately 2,604,731 DAI, 5,513.838 XMR, 23.663 BTC, 15.912 Wrapped BTC, 300,192 USDC, 6.221425 ETH and 8.8452 SOL;

(the “Specific Property”);

WHEREAS, between in or about December 2023 and in or about March 2024, the Government seized the following cryptocurrencies:

- a. 2,604,731.74 DAI;
b. 5,513.84 XMR,
c. 23.6577355 BTC,
d. 15.79837972 Wrapped BTC,
e. 300,192.421373 USDC,
f. 4.55116721 ETH and
g. 8.841123126 SOL

(the “Seized Crypto”);

WHEREAS, [REDACTED] has advised the Government of its ownership interest in \$1,500,000 of the value of the Seized Crypto (the “[REDACTED] Interest”);

WHEREAS, Nirvana Finance (“Nirvana”) has advised the Government of its ownership interest in \$3,571,074.23 of the value of the Seized Crypto (the “Nirvana Interest”)

WHEREAS, the Government has evidence regarding the claims of interest asserted by [REDACTED] and Nirvana (collectively, the “Petitioners”);

WHEREAS, the Government and the Petitioners have agreed to resolve their respective interests in the Seized Crypto without further litigation;

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by its attorney Damian Williams, United States Attorney, Assistant United States Attorneys, Kevin Mead and David Felton of counsel, [REDACTED] and Nirvana, that:

1. The Government acknowledges [REDACTED] superior interest in the [REDACTED] Interest and shall not seek a Final Order of Forfeiture to forfeit the [REDACTED] Interest to the Government.

2. The Government acknowledges Nirvana’s superior interest in the Nirvana Interest and shall not seek a Final Order of Forfeiture to forfeit the Nirvana Interest to the Government.

3. Upon entry of this Stipulation and Order, the Government will transfer a portion of the Seized Crypto with a value equivalent to the [REDACTED] Interest of \$1,500,000 to [REDACTED] and will transfer a portion of the Seized Crypto with a value equivalent to the Nirvana Interest of \$3,571,074.23 to Nirvana.

4. The value of the Seized Crypto to be transferred to [REDACTED] and Nirvana shall be determined based on the price of the Seized Crypto as of the date that this Stipulation and Order is endorsed by the Court, and that price shall be as reasonably determined by the Government based on publicly available information about the value of the Seized Crypto as of that date.

5. In the event that the value of the Seized Crypto is less than the sum of the [REDACTED] Interest and the Nirvana Interest, the Government will divide the Seized Crypto pro rata between [REDACTED] and Nirvana based on the comparative size of the [REDACTED] Interest and the Nirvana Interest, *i.e.* a value of \$1,500,000 for the [REDACTED] Interest as compared to a value of \$3,571,074.23 for the Nirvana Interest.

6. The Petitioners withdraw any claims of interest to the remainder of the Seized Crypto following the transfer of the [REDACTED] Crypto and Nirvana Crypto (the “Forfeitable Crypto”), and the Petitioners will not contest the administrative, civil or criminal forfeiture of the Forfeitable Crypto, and agree they will not file a claim or a petition for remission or mitigation or otherwise contest the forfeiture of the Forfeitable Crypto, and will not assist anyone else in doing so.

7. [REDACTED] agrees to hold harmless the United States (including but not limited to the Department of Treasury (“DOT”), Department of Justice (“DOJ”), Internal Revenue Service (“IRS”), Homeland Security Investigations (“HSI”), United States Marshals (“USMS”), and the United States Attorney’s Office: Southern District of New York (the “USAOSDNY”)), and any agents and employees of the United States, from any and all claims in connection with or arising out of the transfer of the [REDACTED] Interest to [REDACTED] including but not limited to any third-party claims of ownership of the [REDACTED] Interest.

8. Nirvana agrees to hold harmless the United States (including but not limited to the DOT, DOJ, IRS, HSI, USMS, and the USAO-SDNY), and any agents and employees of the United States, from any and all claims in connection with or arising out of the transfer of the Nirvana Interest to Nirvana, including but not limited to any third-party claims of ownership of Nirvana.

9. The Government's agreement to this Stipulation and Order is expressly premised upon the truthfulness, accuracy and completeness in every material part of the representations made by [REDACTED] and Nirvana and their counsel.

10. The Petitioners further waive all rights to service or notice of any administrative, civil, or criminal forfeiture proceeding with respect to the Forfeitable Crypto.

11. The Petitioners are hereby barred from asserting, or assisting others in asserting, any claim, including third party claims and any claim for attorney's fees and costs, against the United States or any of its agents and employees, including the DOJ, FBI, USMS, HSI, IRS, and the USAO-SDNY, as well as any and all employees, officers, and agents of the DOJ, FBI, USMS, HSI, IRS, and the USAO-SDNY in connection with, or arising out of, the United States' seizure, restraint, custody or control over the Seized Crypto.

12. The parties hereby waive all rights to challenge or contest the validity of this Stipulation and Order.

13. Each party shall bear its own costs and attorney's fees.

14. This Stipulation and Order constitutes the complete agreement of the parties and may not be amended without express written authorization from all parties.

15. This Court shall have exclusive jurisdiction over the interpretation and enforcement of this Stipulation and Order.

16. The signature page of this Stipulation and Order may be executed in one or more counterparts, each of which will be deemed an original but all of which together will

constitute one and the same instrument.

AGREED AND CONSENTED TO:

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York

By: /s/ Kevin Mead
DAVID FELTON
KEVIN MEAD
Assistant United States Attorneys
One St. Andrew's Plaza
New York, NY 10007
(212) 637-2299/2211

4/11/2024
DATE

By: [REDACTED]
SIGNATURE
[REDACTED], Founder
PRINTED NAME AND TITLE

4/12/2024
DATE

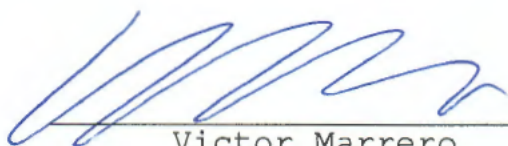
NIRVANA FINANCE

By: _____
SIGNATURE

PRINTED NAME AND TITLE

DATE

SO ORDERED:



Victor Marrero
U.S.D.J.

April 15, 2024
DATE

constitute one and the same instrument.

AGREED AND CONSENTED TO:

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York

By: /s/ Kevin Mead
DAVID FELTON
KEVIN MEAD
Assistant United States Attorneys
One St. Andrew's Plaza
New York, NY 10007
(212) 637-2299/2211


4/11/2024
DATE

By: _____
SIGNATURE

PRINTED NAME AND TITLE

DATE

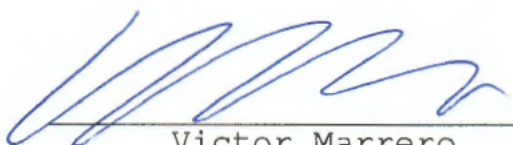
NIRVANA FINANCE

By: 
SIGNATURE

Alex Hoffman - Co-Founder
PRINTED NAME AND TITLE

4/15/2024
DATE

SO ORDERED:


Victor Marrero
U.S.D.J.

April 15, 2024
DATE